

SMITH LARSEN & WIXOM

ATTORNEYS

HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 Kent F. Larsen, Esq.
Nevada Bar No. 3463
2 Chet A. Glover, Esq.
Nevada Bar No. 10054
3 SMITH LARSEN & WIXOM
4 Hills Center Business Park
1935 Village Center Circle
5 Las Vegas, Nevada 89134
6 Tel: (702) 252-5002
Fax: (702) 252-5006
7 Email: kfl@slwlaw.com
cag@slwlaw.com
8 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

9
10
11
12 WILMINGTON TRUST COMPANY, as
Successor to U.S. BANK NATIONAL
13 ASSOCIATION as Trustee for MASTR
ALTERNATIVE LOAN TRUST 2004-8
14 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2004-8,
15

16 Plaintiff,

17 vs.

18 YOLANDA MALAVAR-JAIMEZ, an
19 individual; SFR INVESTMENTS POOL I,
20 LLC, a Nevada limited liability company;
PACIFIC VINTAGE OWNERS'
21 ASSOCIATION, a Nevada non-profit
corporation; GEORGE TAPIA, an
22 individual; and DONNA TAPIA, an
23 individual,

24 Defendants.

CASE NO: 2:17-cv-02537-JAD-VCF

**JOINT MOTION TO DISMISS
PACIFIC VINTAGE OWNERS'
ASSOCIATION WITH PREJUDICE**

ECF No. 21

25 Pursuant to Fed. R. Civ. P. 41(a) and LR 7-1(c), Wilmington Trust Company, as
26 Successor to U.S. Bank National Association as Trustee for Mastr Alternative Loan Trust 2004-
27 8 Mortgage Pass-Through Certificates, Series 2004-8 ("Wilmington") and Pacific Vintage
28

SMITH LARSEN & WIXOM

ATTORNEYS

HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 Owners' Association (the "Association"), by and through their respective counsel of record,
2 stipulate and agree, and jointly move, as follows:

3 1. Wilmington's claims against the Association in the above-captioned matter are
4 dismissed with prejudice.

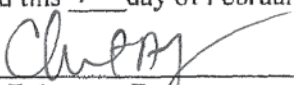
5
6 2. Although the Association is no longer a party to this action, the Association shall
7 be bound by, and cooperate in the enforcement of, any final judgment entered in this case,
8 including, without limitation, any judgment entered quieting title or granting declaratory relief
9 as between Wilmington and the remaining defendants regarding their respective interests in that
10 certain real property commonly known as 10421 Pacific Sageview Lane, Las Vegas, Nevada
11 89134, APN 137-24-813-126.

12
13 3. The Association's Joinder to SFR Investment Pool 1, LLC's Motion to Dismiss
14 (ECF No. 20) is withdrawn with prejudice.

15 4. The Association and Wilmington shall each bear their own respective attorney
16 fees and costs, if any, incurred in this matter.

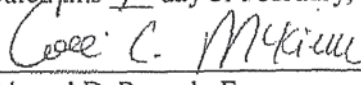
17
18 SMITH LARSEN & WIXOM

19 Dated this 7th day of February, 2018.

20 
21 Kent F. Larsen, Esq.
22 Nevada Bar No. 3463
23 Chet A. Glover, Esq.
24 Nevada Bar No. 10054
25 1935 Village Center Circle
26 Las Vegas, Nevada 89134
27 Attorneys for Wilmington

BOYACK ORME & ANTHONY

28 Dated this 7th day of February, 2018.


Edward D. Boyack, Esq.
Nevada Bar No. 5229
Colli C. McKiver, Esq.
Nevada Bar No. 13724
7432 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117
Attorneys for the Association

ORDER

26 Good cause appearing, IT IS HEREBY ORDERED that the joint motion to dismiss
27 [ECF No. 21] is GRANTED; the claims against the Pacific Vintage Owners'
28 Association are DISMISSED with prejudice, each side to bear its own fees and
costs.